

FORM APPROVED COUNTY COUNSEL  
 BY: *[Signature]* 4/6/15  
 DATE: GREGORY P. PRIAMOS

Departmental Concurrence

**SUBMITTAL TO THE FLOOD CONTROL AND  
 WATER CONSERVATION DISTRICT BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

602B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
 April 14, 2015

**SUBJECT:** Certify Final Programmatic EIR (SCH #2012041013); Adopt Resolution No. 2015-11 for the Moreno Master Drainage Plan Revision; Approve Moreno Master Drainage Plan (Revision No. 2; April 2014); Project No. 4-0-00828; District 5 [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Certify the Final Programmatic Environmental Impact Report (SCH #2012041013), Adopt Findings of Fact, and a Statement of Overriding Considerations, in compliance with CEQA;
2. Adopt Resolution No. 2015-11 for the Moreno Master Drainage Plan (Revision No. 2; April 2014); and
3. Direct the Clerk of the Board to file the Notice of Determination with the County Clerk and the Office of Planning and Research within five days of Project approval.

**BACKGROUND:**

Summary  
 Continued on Page 2.

JMV:mcv  
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*[Signature]*  
 WARREN D. WILLIAMS  
 General Manager-Chief Engineer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET DISTRICT COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
<b>SOURCE OF FUNDS:</b>				Budget Adjustment: N/A	
				For Fiscal Year: N/A	

**C.E.O. RECOMMENDATION:**

APPROVE  
 BY: *[Signature]*  
 Steven C. Horn

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.:

District: 5<sup>th</sup>

Agenda Number:

11-2

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**FORM 11:** Certify Final Programmatic EIR (SCH #2012041013); Adopt Resolution No. 2015-11 for the Moreno Master Drainage Plan Revision; Approve Moreno Master Drainage Plan (Revision No. 2; April 2014); Project No. 4-0-00828; District 5 [\$0]

**DATE:** April 14, 2015

**PAGE:** Page 2 of 2

**BACKGROUND:**

**Summary (continued)**

The District, working with the City of Moreno Valley, proposes to adopt the Moreno Master Drainage Plan Revision No. 2 dated April 2014 (MDP). Based on various studies and analyses of the watershed, the District determined the following:

1. The Moreno Valley area has experienced serious flooding problems in the past. As this area continues to develop, these damages are expected to increase.
2. A drainage system is required to safely convey storm runoff through the area with the least interruption to public services. The proposed MDP meets the project objectives and is the most economical of the alternatives studied.
3. The proposed Plan lends itself to a staged construction as funds become available.

Pursuant to CEQA and the State CEQA Guidelines, a programmatic EIR has been prepared for the Project, which studied the physical environmental impacts related to the Moreno Master Drainage Plan Revision. As described in the attached Resolution No. 2015-11, implementation of the MDP may generate project level short-term significant and unavoidable air quality impacts and cumulative significant and unavoidable air quality impacts, despite the implementation of all feasible mitigation.

**Impact on Residents and Businesses**

N/A

**ATTACHMENTS:**

1. Resolution No. F2015-11
2. Moreno MDP Report Revision No. 2 dated April 2014 [Exhibit "A"] (on CD)
3. CEQA Findings [Exhibit "B"] (on CD)
4. Mitigation Monitoring and Reporting Program (MMRP) [Exhibit "C"] (on CD)
5. Notice of Determination
6. Authorization to Bill for Notice of Determination CDFW Filing Fees
7. Final Programmatic EIR and related technical appendices for the Moreno MDP (on CD)

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FORM APPROVED COUNTY COUNSEL  
BY: AARON C. GETTIS DATE 4-6-15

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**BOARD OF SUPERVISORS**

**RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT**

**RESOLUTION NO. F2015-11**

**CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT  
REPORT FOR THE MORENO MASTER DRAINAGE PLAN REVISION  
(SCH #2012041013); ADOPTING ENVIRONMENTAL FINDINGS, A  
MITIGATION MONITORING AND REPORTING PROGRAM, AND A  
STATEMENT OF OVERRIDING CONSIDERATIONS PURSUANT TO  
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND  
APPROVING THE MORENO MASTER DRAINAGE PLAN REVISION**

WHEREAS, the Riverside County Flood Control and Water Conservation District (hereinafter referred to as the "District") is proposing Revision No. 2 to the Moreno Master Drainage Plan (MDP), which was originally approved October 1980 and later revised in April 1991 (Revision No. 1); and

WHEREAS, this Moreno MDP Revision (hereinafter referred to as the "Project") provides a variety of modifications to the existing MDP related to the size, type, and conceptual locations of drainage facilities and basins in order to improve flood protection for both existing users and future development within the Moreno watershed; and

WHEREAS, ultimately, the Project proposes the construction of approximately 30 miles of storm drains and channels, and approximately 82 acres of detention and debris basins, and also includes the administration of the MDP, and operation and maintenance of such facilities; and

WHEREAS, the Project is located in the city of Moreno Valley and the unincorporated County of Riverside; and

WHEREAS, the Moreno MDP Revision No. 2 report and map are attached herein as Exhibit "A"; and

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WHEREAS, pursuant to §21067 of the California Environmental Quality Act (CEQA) [Public Resources Code §21000 et seq.] and §15367 of the State CEQA Guidelines [14 California Code of Regulations §15000 et seq.], the District is the lead agency for the Project; and

WHEREAS, the District solicited comments, including input about the scope and content of the environmental review as well as potential feasible alternatives and mitigation measures, from responsible agencies, trustee agencies, and the public in a Notice of Preparation (NOP) for the Draft Program Environmental Impact Report (Draft PEIR) for the Project, which was filed on April 3, 2012 and circulated for a period of 30 days pursuant to State CEQA Guidelines §15082(a) and §15375; and

WHEREAS, 10 comment letters and two late comment letters were received by the District in response to the NOP, which assisted the District in refining the issues for analysis in the Draft PEIR; and

WHEREAS, pursuant to Public Resources Code §21083.9 and State CEQA Guidelines §15082(c) and §15083, the District held a public agency and public scoping meeting on April 19, 2012, to solicit agency and public comments on the Draft PEIR for the Project; and

WHEREAS, in compliance with CEQA and the State CEQA Guidelines, the District prepared a Draft PEIR (SCH #2012041013) to analyze the potential environmental effects of the Project; and

WHEREAS, the Draft PEIR was completed and released for public review on May 22, 2014, and the District initiated a 47-day public comment period by filing a Notice of Completion and Availability with the State Clearinghouse and the Riverside County Assessor-Clerk-Recorder's Office; and

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2 WHEREAS, pursuant to Public Resources Code §21092 and State CEQA Guidelines  
3 §15087, the District also provided a Notice of Completion and Availability to all organizations  
4 and individuals who had previously requested such notice, and published the Notice of  
5 Availability on May 22, 2014, in The Press-Enterprise, a newspaper of general circulation in the  
6 Project area; and

7  
8 WHEREAS, during the 47-day Draft PEIR comment period (May 22, 2014 to July 7,  
9 2014), the District consulted with, and requested comments from, responsible and trustee  
10 agencies, other regulatory agencies and other interested parties, including the Native American  
11 Tribes, pursuant to State CEQA Guidelines §15086; and

12  
13 WHEREAS, during the official public review period for the Draft PEIR, the District  
14 received six written comment letters; and

15  
16 WHEREAS, pursuant to Public Resources Code §21092.5 and State CEQA Guidelines  
17 §15088(b), the District provided each public agency that submitted comments on the Draft PEIR  
18 with written responses to the agency's comments at least 10 days before considering the Final  
19 PEIR for certification; and

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21 WHEREAS, the District consulted with the Native American Heritage Commission, the  
22 Pechanga Band of Luiseño Indians, and the Soboba Band of Luiseño Indians, and discussed the  
23 Project's potential impacts and Mitigation Measures concluding that the Soboba Band of Luiseño  
24 Indians is the appropriate Tribe with jurisdiction over the Project location, regarding any  
25 potential traditional cultural resources; and

26  
27 WHEREAS, pursuant to State CEQA Guidelines §15132, the District released the Final  
28 PEIR, which consists of the Initial Study and Notice of Preparation; Draft PEIR and technical  
appendices; a list of all agencies, organizations, and individuals who commented on the Draft

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PEIR; written responses to all the significant environmental issues raised in the review, consultation, and comment processes for the Draft PEIR; and the errata to the Draft PEIR, which includes minor text edits and clarifications to the Draft PEIR; and

WHEREAS, the Final PEIR, with all its components, shall herein be referred to as simply the "EIR" unless it is otherwise necessary to reference a specific document or section; and

WHEREAS, all EIR documents and evidence related to the Project have been reviewed by the District and Board of Supervisors (hereinafter referred to as the "Board"), and are hereby incorporated by reference into this Resolution; and

WHEREAS, all requirements of the Public Resources Code, the State CEQA Guidelines, and the District CEQA implementing procedures have been satisfied in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project, as well as feasible Alternatives and Mitigation Measures, have been adequately evaluated; and

WHEREAS, all of the findings and conclusions made by the Board pursuant to this Resolution are based upon oral and written evidence presented as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, the CEQA Findings of Fact and Statement of Overriding Considerations supporting the Board's decision on the Project are attached herein as Exhibit "B"; and

WHEREAS, the Mitigation Monitoring and Reporting Program attached herein as Exhibit "C" sets forth the Mitigation Measures that the Board shall require as binding obligations of the District in connection with the Project; and

WHEREAS, the EIR identifies short-term (construction) air quality impacts that may be potentially significant and unavoidable despite the imposition of all feasible Mitigation Measures; and

1  
2 WHEREAS, the EIR identifies short-term (construction) air quality impacts that may be  
3 potentially cumulatively considerable and/or significant and unavoidable despite the imposition  
4 of all feasible Mitigation Measures; and

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6 WHEREAS, the EIR adequately analyzed a reasonable range of Alternatives to the  
7 Project that could eliminate or reduce these significant environmental impacts, and the Board has  
8 selected the Project for approval; and

9 WHEREAS, prior to taking action, the Board has heard, been presented with, reviewed,  
10 and considered all information and data in the administrative record, including the EIR, and all  
11 oral and written evidence presented regarding the Project's environmental impacts; and

12 WHEREAS, the EIR reflects the independent judgment of the Board and is deemed  
13 adequate for purposes of making decisions on the merits of the Project; and

14  
15 WHEREAS, the Board has not received any comments or information that produced  
16 substantial new information requiring recirculation pursuant to Public Resources Code §21092.1  
17 and State CEQA Guidelines §15088.5; and

18 WHEREAS, the Board, as the decision making body for the District, has reviewed and  
19 considered the EIR, Project Alternatives, Mitigation Measures and the Mitigation Monitoring  
20 and Reporting Program in evaluating the Project; and

21  
22 WHEREAS, the EIR and the Mitigation Monitoring and Reporting Program are  
23 incorporated herein by this reference in their entirety; and

24 WHEREAS, the Project is consistent with the Western Riverside County Multiple  
25 Species Habitat Conservation Plan; and

26 WHEREAS, as contained herein, the Board has endeavored in good faith to set forth the  
27 basis for its decision on the Project; and  
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WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District in regular session assembled on **April 14, 2015** that:

1. Pursuant to Public Resources Code §21081 et seq., the Board of Supervisors hereby adopts the CEQA Findings of Fact attached to this Resolution as Exhibit "B", including the Statement of Overriding Considerations.
2. The Board has considered a reasonable range of Alternatives to the Project and finds based on substantial evidence in the record that the Project is the best alternative that can be feasibly implemented in light of relevant economic, legal, social, technological, and other reasons, as discussed herein. The Board hereby rejects all other Alternatives, and combinations and variations, thereof. Supporting information for this finding is detailed in Exhibit "B" (Section VII), and is further supported by analyses within the EIR.
3. After considering the EIR, in conjunction with the attached CEQA Findings of Fact and Statement of Overriding Considerations (Exhibit "B"), the Board hereby finds that pursuant to Section 15092 of the State CEQA Guidelines that approval of the Project may result in significant effects on the environment; however, the Board has eliminated or substantially lessened these significant effects where feasible, and has determined that remaining significant effects are found to be unavoidable under Section 15091 and acceptable under Section 15093. Supporting information for this finding is detailed in Exhibit "B" (Section VIII).



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2 4. The Board has made a reasonable and good faith effort to eliminate or substantially  
3 mitigate the Project's significant and unavoidable impacts and has balanced the  
4 benefits against any unavoidable environmental impacts in determining whether to  
5 approve the Project.  
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- 7 5. Pursuant to Section 15091 and 15093 of the State CEQA Guidelines, the CEQA  
8 Findings of Fact and Statement of Overriding Considerations for the Project are  
9 supported by substantial evidence in the record, and are further supported by the  
10 analyses within the EIR. Therefore, the Board hereby adopts the Statement of  
11 Overriding Considerations as detailed in Section VIII of the Findings attached to  
12 this Resolution as Exhibit "B".  
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- 14 6. The Board hereby certifies the EIR in accordance with the requirements of CEQA  
15 (Section 21000 et seq. of the Public Resources Code and Section 15000 et seq. of  
16 Title 14 of the California Code of Regulations).
- 17 7. Pursuant to Public Resources Code §21081.6, the Board of Supervisors hereby  
18 adopts the Mitigation Monitoring and Reporting Plan (MMRP) attached to this  
19 Resolution as Exhibit "C" as identified in Section X of the Findings. In the event of  
20 any inconsistencies between the Mitigation Measures as set forth in the Findings  
21 and the MMRP, the MMRP shall prevail.  
22
- 23 8. The Board finds that the Project is consistent with the District's purpose, policies  
24 and goals, and that approval of the Project is in the public interest and is necessary  
25 for the public health, safety, and welfare.
- 26 9. Based upon the entire administrative record before the Board of Supervisors for the  
27 Riverside County Flood Control and Water Conservation District, including the  
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attached Findings of Fact and Statement of Overriding Considerations (Exhibit "B"), and all written and oral evidence presented during the administrative process, the Board of Supervisors hereby approves the Moreno Master Drainage Plan Revision No. 2 dated April 2014, as detailed in Section XI of the Findings attached to this Resolution as Exhibit "B".

10. The custodians of the documents and materials that constitute the record of proceedings on which this decision is based are with the Clerk of the Board of Supervisors and the District's Planning Division. These documents and materials are located at 4080 Lemon Street, Riverside, California (Board) and at 1995 Market Street, Riverside, California (District), respectively. This information is provided in compliance with Public Resources Code §21081.6.
11. The Board of Supervisors hereby directs staff to execute and file a Notice of Determination with the Riverside County Clerk's Office and the Office of Planning and Research within five (5) working days of adoption of this Resolution.

## Notice of Determination

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**To: Office of Planning and Research**

*For U.S. Mail:*  
P.O. Box 3044  
Sacramento, CA 95812-3044

*Street Address:*  
1400 Tenth Street  
Sacramento, CA 95814

**From: Riverside County Flood Control**

1995 Market Street  
Riverside, CA 92501  
Contact: Kris Flanigan  
Phone: 951.955.8581

**County Clerk**  
County of Riverside  
2724 Gateway Drive  
Riverside, CA 92507

**Lead Agency:** Same as above

**Subject:** Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code.

**State Clearinghouse Number:** 2012041013

**Project Title:** Moreno Master Drainage Plan Revision

### Project Location

The Project is located in the city of Moreno Valley and unincorporated Riverside County, California. The Project area (Moreno watershed) encompasses all or a portion of Sections 30 and 31, Township 2 South, Range 2 West; Sections 21 through 23, 25 through 29, 33 through 36, Township 2 South, Range 3 West; Sections 1 through 4, 9 through 16, 21 through 24, 27, and 28, Township 3 South, Range 3 West, San Bernardino Base and Meridian. Longitude/Latitude for the Project is 117 degrees, 11 minutes, 58 seconds north and 33 degrees, 56 minutes, 57 seconds west.

### Project Description

The Project provides a variety of modifications to the existing MDP related to the size, type, and conceptual locations of drainage facilities and basins in order to improve flood protection for both existing users and future development within the Moreno watershed. The Project proposes the administration, construction, operation, and maintenance of approximately 30 miles of storm drains and channels, and approximately 82 acres of detention and debris basins.

### Determination

This is to advise that the Riverside County Flood Control and Water Conservation District (Lead Agency) has approved and certified pursuant to the California Environmental Quality Act (CEQA) the above-described Project on April 14, 2015 and has made the following determinations regarding the above-described Project:

- 1) The Project will have a significant effect on the environment.
- 2) A Programmatic Environmental Impact Report was prepared pursuant to the provisions of CEQA.
- 3) Mitigation measures were made a condition of the approval of the Project.
- 4) A Mitigation Monitoring Program was adopted for this Project.
- 5) A Statement of Overriding Considerations was adopted for this Project.
- 6) Findings were made pursuant to the provisions of CEQA.

### Public Access to Environmental Document

The Programmatic Environmental Impact Report and record of the project approval is available to the General Public at the Office of the Clerk of the Board, County Administrative Center, 4080 Lemon Street, Riverside, CA 92501; the EIR is also available at the Riverside County Flood Control and Water Conservation District office located at 1995 Market Street, Riverside, CA 92501; and an electronic copy is available on the District's website at <http://reflood.org/>.

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Signature (Public Agency)

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Title

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Date

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Date Received for Filing at OPR

**RIVERSIDE COUNTY CLERK-RECORDER**

**AUTHORIZATION TO BILL**

**TO BE FILLED OUT BY SUBMITTING AGENCY**

DATE: 3/4/2015 BUSINESS UNIT/AGENCY: FLOOD CONTROL - FCARC

ACCOUNTING STRING:

ACCOUNT: 526410 FUND: 25140  
DEPT ID: 947460 PROGRAM: \_\_\_\_\_

AMOUNT: \$3,069.75

REF: Final CEQA posting notice of Determinatin posting Authorization for Moreno Master Drainage Plan Revision 224 4-6-00828-00-00-0000-902

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE AN INVOICE FOR PAYMENT OF ALL DOCUMENTS INCLUDED.

NUMBER OF DOCUMENTS INCLUDED: 1

AUTHORIZED BY: Michael Reyes *Michael Reyes* 3-4-15

PRESENTED BY: Kris Flanigan EXT 58581

CONTACT: Michael Reyes

**TO BE FILLED OUT BY COUNTY CLERK**

ACCEPTED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

DOCUMENT NO(S)/INVOICE NO(S): \_\_\_\_\_  
\_\_\_\_\_